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> 15 Offences against justice procedures, government security and government operations



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Division

15 Offences against justice procedures, government security and government operations

Australian and New Zealand Standard Offence Classification (ANZSOC)

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Division 15 - Offences against justice procedures, government security and government operations

An act or omission that is deemed to be prejudicial to the effective carrying out of justice procedures or any government operations. This includes general government operations as well as those specifically concerned with maintaining government security.

This division is further disaggregated into subdivisions on the basis of whether or not the act or omission was against justice procedures or government operations.

Offences in this division are classified into the following subdivisions:

151 Breach of custodial order offences

152 Breach of community-based orders

153 Breach of violence and non-violence orders

154 Offences against government operations

155 Offences against government security

156 Offences against justice procedures

Exclusions:

Offences against justice procedures or government security or government operations where there is an intent to kill, assault, or steal. These are coded to the relevant groups within Division 01, Homicide and related offences; Division 02, Acts intended to cause injury; or Division 08, Theft and related offences.

Subdivision

151 Breach of custodial order offences

Subdivision 151 Breach of custodial order offences

An act or omission breaching the conditions of a custodial order. This includes offences relating to a person regaining their liberty unlawfully, as well as offences relating to a breach of the conditions specified within a home detention order or suspended sentence.

This subdivision is further disaggregated by the type of custodial order that is breached.

Offences in this subdivision are classified into the following groups:

1511 Escape custody offences

1512 Breach of home detention

1513 Breach of suspended sentence

Exclusions:

Breach of community-based order. These are coded to the relevant groups within Subdivision 152, Breach of community-based orders.

1511 Escape custody offences

Offences relating to a person who was in lawful custody regaining, his/her liberty unlawfully.

Inclusions:

Escape detention

Aid/harbour an escapee

Free a person from lawful custody without authority

Permit escape from lawful custody without authority

Escape from lawful custody

Conspiracy to escape legal custody

Breach of periodic detention

1512 Breach of home detention

An act or omission breaching the conditions of home detention where a person is required to serve a custodial order in a residential location.

1513 Breach of suspended sentence

An act or omission breaching the conditions of a suspended sentence.

Subdivision

152 Breach of community-based orders

Subdivision 152 Breach of community-based orders

An act or omission prejudicial to the effective execution of justice orders which are served in the community. Note where the breach offence constitutes a new offence in its own right, both the new offence and the breach are to be counted.

This subdivision is further disaggregated on the basis of the type of community-based order that is breached.

Offences in this subdivision are classified into the following groups:

1521 Breach of community service order

1522 Breach of parole

1523 Breach of bail

1524 Breach of bond - probation

1525 Breach of bond - other

1529 Breach of community-based orders, nec

1521 Breach of community service order

An act or omission breaching the conditions of a community service order. This refers to the community-based management of court-ordered sanctions and fine conversions, which principally involve the provision of supervision, programmes or community work.

Inclusions:

Breach of reparation orders

1522 Breach of parole

An act or omission breaching the conditions of a parole order.

Inclusions:

Fail to report to parole officer

Exclusions:

Breach of periodic detention. These are coded to Group 1511, Escape custody offences.

Breach of suspended sentence. These are coded to Group 1513, Breach of suspended sentence.

1523 Breach of bail

An act or omission breaching the conditions of a bail order.

Inclusions:

Abscond whilst on bail

Fail to comply with a condition of a bail order

Bail act offences

1524 Breach of bond - probation

An act or omission breaching the conditions of a bond that requires supervision.

Inclusions:

Breach of probation

1525 Breach of bond - other

An act or omission breaching the conditions of a bond that does not require supervision.

1529 Breach of community-based orders, nec

An act or omission breaching the conditions of any other community-based order not otherwise specified within Subdivision 152.

Exclusions:

Breach of parole. These are coded to Group 1522, Breach of parole.

Breach of suspended sentence. These are coded to Group 1513, Breach of suspended sentence.

Subdivision

153 Breach of violence and non-violence orders

Subdivision 153 Breach of violence and non-violence orders

An act or omission breaching the conditions of a violence or non-violence related restraining order.

This subdivision is further disaggregated on the basis of whether the breached was related to a violence or non-violence order.

Offences in this subdivision are classified into the following groups:

1531 Breach of violence orders

1532 Breach of non-violence orders

1531 Breach of violence order

An act or omission breaching the conditions of a violence order.

Inclusions:

Breach of apprehended violence order

Breach of domestic violence order

1532 Breach of non-violence orders

An act or omission breaching the conditions of a restraining order other than a violence order.

Exclusions:

Breach of a domestic violence order. These are coded to Group 1531, Breach of violence order.

Subdivision

154 Offences against government operations

Subdivision 154 Offences against government operations

An act with the intent of resisting or hindering government officers, or government operations, other than police, justice or government security officers.

This subdivision is further disaggregated on the basis of whether the offence was against an individual person or an operation.

Offences in this subdivision are classified into the following groups:

1541 Resist or hinder government official (excluding police officer, justice official or government security officer)

1542 Bribery involving government officials

1543 Immigration offences

1549 Offences against government operations, nec

1541 Resist or hinder government official (excluding police officer, justice official or government security officer)

An act with the intent of resisting or hindering government officers, other than police officers, justice officials or government security officers, who are carrying out duties under authority of legislation.

Inclusions:

Resist customs officials

Hinder ambulance or fire brigade officers

Exclusions:

Fail to declare goods. These are coded to Group 1694, Import/export regulations.

1542 Bribery involving government officials

The offering, giving or accepting of a bribe involving a government official whilst exercising his/her official authority.

Inclusions:

Bribery of elected government representatives (federal, state or local)

Exclusions:

Bribery to subvert the justice process (e.g. bribing a witness, juror or justice official). These are coded to Group 1561, Subvert the course of justice.

Bribes that threaten national security (e.g. buy/sell/disclose national secrets). These are coded to Group 1559, Offences against government security, nec.

1543 Immigration offences

Offences involving illegal entry, people smuggling across international borders, or the failure to comply with immigration visa conditions, including undertaking employment when not permitted, or overstaying exit date.

Inclusions:

Illegal immigrant

Visa offences

People trafficking

Exclusions:

Passport or visa offences involving theft or fraud. These should be coded to Group 0821, Theft from a person (excluding by force) or Group 0911, Obtain benefit by deception.

People trafficking involving sexual servitude. These are coded to Group 0323, Sexual servitude offences.

1549 Offences against government operations, nec

Offences against government operations, other than those of a security nature, with the intent of impeding the normal functioning capacity of that operation. Included in this group are offences against government statutory bodies or agencies that operate under specific government regulation.

Inclusions:

Fail to complete census form

Fail to lodge taxation forms

Fail to vote at election

Hoax calls to emergency services

Postal offences

Exclusions:

Theft of electricity, gas or water. These are coded to Group 0829, Theft (except motor vehicles), nec.

Subdivision

155 Offences against government security

Subdivision 155 Offences against government security

An act or omission prejudicial to effective enforcement of government operations concerned with the preservation of national security.

This subdivision is further disaggregated on the basis of whether the enforcement of government security operations involved government officials.

Offences in this subdivision are classified into the following groups:

1551 Resist or hinder government officer concerned with government security

1559 Offences against government security, nec

Inclusions:

Computer hacking involving breach of government security

1551 Resist or hinder government officer concerned with government security

An act with the intent of resisting or hindering the official directions of a government officer, other than a police officer or justice official, who is concerned with maintaining government security. Official directions are those given in the conduct of the officer's duties.

1559 Offences against government security, nec

Offences against government security other than resisting or hindering the official directions of a government officer, other than a police officer or justice official, who is concerned with maintaining government security.

Inclusions:

Acts that are harmful to, or threaten national security (e.g. treason)

Phone tapping for espionage purposes

Sedition

Buy, sell or disclose national secrets

Aid pirates

Incite mutiny

Conspire, prepare or plan a terrorist act

Be a member or provide support to a terrorist organisation

Incite or commit a terrorist act

Subdivision

156 Offences against justice procedures

Subdivision 156 Offences against justice procedures

An act or omission prejudicial to the effective carrying out of justice procedures other than justice orders.

This subdivision is further disaggregated on the basis of subset streams of justice procedures.

Offences in this subdivision are classified into the following groups:

1561 Subvert the course of justice

1562 Resist or hinder police officer or justice official

1563 Prison regulation offences

1569 Offences against justice procedures, nec

1561 Subvert the course of justice

An act intended to mislead or impede justice proceedings.

Inclusions:

Perjury (e.g. false testimony, unlawful oath)

Bribe or dishonestly attempt to influence a witness, juror or any justice official

Prevent witness from attending court

Threat against a witness

Destroy or damage evidence

Fabricate or use fabricated evidence

Conspiracy to obstruct justice

Deceive witness

Exclusions:

Bribery of a government official other than a justice official. These are coded to Group 1542, Bribery involving government officials.

Impersonate a justice official. These are coded to Group 0932, Misrepresentation of professional status.

Contempt of court not involving the perversion of justice proceedings. These are coded to Group 1569, Offences against justice procedures, nec.

1562 Resist or hinder police officer or justice official

An act with the intent of resisting or hindering the directions of a police officer or other justice official in the conduct of their lawful duty.

Inclusions:

Fail to comply with the direction of an authorised police officer or justice official

Give false name to a police officer or justice official

Fail to state name/address on request, to a police officer or justice official

Exclusions:

Assault of police officers or justice officials. These are coded to Group 0211, Serious assault resulting in injury or Group 0212, Serious assault not resulting in injury.

1563 Prison regulation offences

Offences against guidelines regulating conduct within prisons and/or detention centres.

Inclusions:

Possess contraband

Supply contraband

Contravene institutional order

1569 Offences against justice procedures, nec

Offences against justice procedures not elsewhere classified in Subdivision 156, Offences against justice procedures.

Inclusions:

Accessory after the fact

Misprision (concealing knowledge) of felony

Contempt of court, not involving the perversion of justice proceedings (e.g. interrupt/disrupt court proceedings)

Make false report to police

Fail to appear before court